

REGULAR MEETING-MANSFIELD TOWN COUNCIL

May 26, 2009

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

Present: Clouette, Duffy, Koehn, Nesbitt, Paterson, Paulhus and Schaefer

Excused: Haddad and Blair

II. APPROVAL OF MINUTES

Mr. Clouette moved and Mr. Paulhus seconded to approve the minutes of the May 4, 2009 Special meeting. The motion passed unanimously. Mr. Schaefer moved and Mr. Paulhus seconded to approve the minutes of the May 11, 2009 regular meeting. Motion passed with all in favor except Ms. Koehn who abstained. Mr. Clouette moved and Mr. Paulhus seconded to approve the minutes of the May 12, 2009 Special meeting. The motion passed unanimously.

III. PUBLIC HEARING

1. An Ordinance Establishing a Fee Schedule for Fire Prevention Services

Mayor Paterson called the public hearing to order and asked the Assistant Town Clerk to read the legal notice.

Mr. Jackman, Deputy Chief/Fire Marshal, reviewed the proposed ordinance. The fee schedule would now allow the town to recover cost on new construction only. The ordinance would not recover fees for one and two-family dwellings; accessory structures of one and two family dwellings; annual inspections and educational services. The annual projected income to the town would be approximately \$35,000 in service fees.

Betty Wassmundt, Old Turnpike Road, would like justification for the \$35,000 projected return before the Council votes.

The hearing was closed at 7:45 p.m.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Betty Wassmundt, Old Turnpike Road, questioned the percentage needed for a favorable vote in a referendum.

Jane Blanshard, Sycamore Drive, would like to see the Downtown Partnership brought to referendum.

David Morse, Birchwood Heights, would also like to see the Downtown Partnership brought before the voters. His question is how can we get this before the voters and is it possible through petition to put this to referendum if the referendum concerning the budget overall is accepted. Could both these items be put on the referendum?

Carol Pellegrine, Clover Mill Road, expressed her appreciation for video taping Council meetings but suggested that speakers move the microphones closer to be better heard.

V. TOWN MANAGER'S REPORT

Report attached.

Mr. Nesbitt asked the Town Manager to follow-up on a previous issue concerning Sgt Kodzis discussed at a prior meeting. The Town Manager will do so.

VI. OLD BUSINESS

2. An Ordinance Establishing a Fee Schedule for Fire Prevention Services

Mr. Clouette moved and Mr. Paulhus seconded, to adopt An Ordinance Establishing a Fee Schedule for Fire Prevention Services, which ordinance shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Motion passed unanimously.

Ms. Koehn moved Mr. Schaefer seconded to move the Bond Authorization for Mansfield Streetscape and Pedestrian Improvements to the next item of business.

Motion passed unanimously.

NEW BUSINESS

9. Bond Authorization for Storrs Road Enhancement Project

Ms. Koehn moved and Mr. Schaefer seconded to approve the following resolution:
Item 1

RESOLUTION APPROPRIATING \$1,173,000 FOR COST WITH RESPECT TO WALKWAY AND STREETScape IMPROVEMENTS ALONG STORRS Road (Conn. Route 195) AND FLAHERTY ROAD, TO BE FUNDED FROM UNANTICIPATED FEDERAL TRANSPORTATION ENHANCEMENT GRANT REVENUES INCLUDING THE SUBSEQUENT TEXT ON PAGE 60 OF THE TOWN COUNCIL AGENDA OF MAY 26, 2009. THE SUBSEQUENT TEXT IS AS FOLLOWS:

RESOLVED, That the Town of Mansfield appropriate ONE MILLION ONE HUNDRED SEVENTY-THREE THOUSAND DOLLARS (\$1,173,000) for cost with respect to walkway and streetscape improvements along the western side of Storrs Road (Conn. Route 195) approximately from its intersection with Bolton

Road to the Liberty Bank Plaza property, walkway and streetscape improvements along Flaherty Road approximately from its northern intersection with Storrs Road to its intersection with Storrs Height Road, and related work and improvements, to be funded from Federal transportation enhancement grants to be received with respect to the project and unanticipated in the budget for the fiscal year ending June 30, 2009. The appropriation may be spent for design, acquisition, installation and construction cost, equipment, materials, engineering and other consultant fees, legal fees and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and may reduce or modify the scope of the project; and the entire appropriation may be spent on the project as so reduced or modified.

Motion passed unanimously.

Mr. Clouette moved and Mr. Paulhus seconded to approve the following resolution:

Item 2

RESOLUTION APPROPRIATING \$302,000 FOR COST WITH RESPECT TO WALKWAY AND STREETScape IMPROVEMENTS ALONG STORRS ROAD (CONN. ROUTE 195) AND FLAHERTY ROAD, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION. CONTINUING WITH THE RESOLUTION AS MORE FULLY APPEARS ON PAGE 61 AND 62. THE RESOLUTION IS AS FOLLOWS:

RESOLVED,

- (A) That the Town of Mansfield appropriate THREE HUNDRED TWO THOUSAND DOLLARS (\$302,000) for cost with respect to walkway and streetscape improvements along the western side of Storrs Road (Conn. Route 195) approximately from its intersection with Bolton Road to the Liberty Bank Plaza property, walkway and streetscape improvements along Flaherty Road approximately from its northern intersection with Storrs Road to its intersection with Storrs Height Road, and related work and improvements. The appropriation may be spent for design, acquisition, installation and construction cost, equipment, materials, engineering and other consultant fees, legal fees, net temporary interest and other financing cost, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and may reduce or modify the scope of the project; and the entire appropriation may be spent on the project as so reduced or modified.
- (B) That the Town issue its bonds or notes, in an amount not to exceed THREE HUNDRED TWO THOUSAND DOLLARS (\$302,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.
- (C) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds

or notes for the project. The amount of the notes outstanding at any time shall not exceed THREE HUNDRED TWO THOUSAND DOLLARS (\$302,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

- (D) The Town Manager, The Director of Finance, and the Treasurer, or any two of them, shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager, The Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes to provide for the keeping of a record of the bonds, notes or temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes.
- (E) That the Town hereby declares its official intent under Federal Income Tax Regulation Sections 1.150-2 that project cost may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount borrowing authorized above for the project. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years,
- (F) That the Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes authorized by this resolution to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes or temporary notes.
- (G) That the Town Manager, the Director of Finance, the Treasurer and

other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or temporary notes.

Motion passed unanimously.

Mr. Clouette moved, Ms. Duffy seconded to approve the following resolution:

Item 3

RESOLUTION CALLING TOWN MEETING WITH RESPECT TO WALKWAY AND STREETSCAPE IMPROVEMENTS ALONG STORRS ROAD (CONN. ROUTE 195) AND FLAHERTY ROAD.

RESOLVED,

- (A) That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 2 of this meeting, appropriating \$302,000 for cost with respect to walkway and streetscape improvements along Storrs Road (Conn. Route 195) and Flaherty Road and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held at 7:00 P.M., on June 8, 2009, which Town Meeting the Town Council hereby authorizes the Mayor to call.

Motion passed unanimously.

3. Uconn Landfill, Long-term Monitoring Program

Robert Miller, Director of Health will be asked to attend the next Council Meeting to address questions on the timetable for monitoring wells.

4. Amendment to Special Police Services Ordinance

Mr. Paulhus moved, and Mr. Clouette seconded to move, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on June 22, 2009 to solicit public comment on the proposed amendments to the Special Police Services Ordinance, Chapter 70 of the Mansfield Code (to be re-titled Fees for Special Public Safety Services).

Motion carried, Mr. Nesbitt opposed.

5. Community/Campus Relations

The next meeting for Mansfield Community Partnership will be held on Mansfield June 5, 2009 at 3:00 PM at the Community Center. Julie Bell Elkins, Assistant Dean of Students will be recognized for her leadership and her diligent service on the Committee.

6. Community Water and Wastewater Issues

An informational meeting on the Four Corners Sewer Project is planned for June 9, 2009 at 6:30 with a formal presentation to follow at 7:00 PM.

7. Regionalism

Mr. Nesbitt moved, Mr. Clouette seconded to establish an Ad Hoc Town Council Committee consisting of two Town Council Members and the Town Manager for the purpose of exploring opportunities for regional initiatives including but not limited to public safety, economic development and water.

Motion passed with all in favor except Mr. Schaefer who abstained. By consensus it was agreed Mr. Nesbitt and Mr. Clouette would serve on the Committee.

VII. NEW BUSINESS

8. Appointment to Building Committee for Mansfield Public Schools.

Mr. Schaefer moved, Mr. Paulhus seconded to move, effective May 26, 2009, to appoint Marsha Wilhoit to the Mansfield Public Schools Building Committee, for an indefinite term.

Motion passed unanimously.

VIII. QUARTERLY REPORTS:

No Report.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

Mr. Grunwald, Director of Social Services will be asked to compile information regarding the feasibility of establishing a voluntary transportation assistance committee.

X. REPORTS OF COUNCIL COMMITTEE

Ms. Duffy, Chair of the Committee on Committees recommended that Mr. Joseph Blyskal be appointed to the Communication Advisory Committee.

Motion passed unanimously.

Mr. Clouette reported that the Town Gown Committee is developing a newly proposed representation plan that will be submitted to the Board of Trustees and the Town Council. This will include an official liaison from the Campus Community Partnership and an additional community member from the community at large.

XI. REPORTS OF COUNCIL MEMBERS

Mr. Paulhus expressed his gratitude for all those who participated in the Memorial Day Parade.

XII. PETITIONS, REQUEST AND COMMUNICATIONS

Ms. Koehn would like clarification on the calculation on the Equalized Net Grand List from the State of Connecticut Office of Policy and Management.

10. Mansfield Resident Trooper's Office re: Information Sharing
11. Registrar of Voters re: 2010 Election
12. G. Padick re: Draft Revisions to the Zoning and Subdivision Regulations
13. Planning and Zoning Commission re: April 2009 Draft Environmental Impact Evaluation
14. Recreation Advisory Committee re: Program Sponsorship Signs/Banners at Mansfield Skate Park
15. CCM re: C.G.S. 9-369b(d)
16. CCM Federal Issues Bulletin – May 12, 2009
17. CCM Legislative Update – May 13, 2009
18. CCM Legislative Update – May 20, 2009
19. CCM Legislative Update – May 21, 2009
20. CCM Weekly Update – May 15, 2009
21. State of Connecticut Office of Policy and Management re: ENGL
22. University of Connecticut re: Connecticut to Host 2011 World Youth Peace Summit
23. Chronicle "Commercial areas to promote are lacking" – 5/14/09
24. Chronicle "Contract will lead to funds for Storrs Center" – 5/15/09
25. Chronicle "Council eschews regionalization committee" – 5/12/09
26. Chronicle "Letters to the Editor" – 5/7/09
27. Chronicle "Letters to the Editor" – 5/8/09
28. Chronicle "Letters to the Editor" – 5/11/09
29. Chronicle "Letters to the Editor" – 5/12/09
30. Chronicle "Letters to the Editor" – 5/15/09
31. Chronicle "Mansfield budget could be decided" – 5/11/09
32. Chronicle "Mansfield Hollow set to get federal funds" – 5/9/09
33. Chronicle "Re-fi of D11 bonds will save town \$249K" – 5/15/09
34. Chronicle "Spending plan gets initial OK" – 5/13/09
35. Hartford Courant "Pomfret restaurant owners plan to open branch..." – 5/13/09
36. Mansfield Today "Artists invited to submit work to juried show" – 5/20/09

- 37. Mansfield Today "Can Mansfield put life back into "ghost town" of ..." – 5/13/09
- 38. Mansfield Today "Storrs Center defended as long-term solution..." – 5/13/09
- 39. Mansfield Today "Storrs Center has commitment from future tenant" – 5/12/09
- 40. Mansfield Today "Voters OK \$43 million budget 463-to-89" – 5/12/09

XIII. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

- Ric Hossack, Middle Turnpike, had a number of questions regarding the status of union negotiations; public responses to public questions; notification of the F.O.I. training meeting for the public to attend; why the salt building is being built this year; status on the Hunting Lodge bike path project. He would also like to see the Storrs Center Project put to referendum; suggests voting by mail; the town Charter changed from an Annual Budget Town Meeting to a referendum and the reasoning of why the Pequot money was doubled in the annual report.

- Betty Wassmundt, Old Turnpike Road, would like the town to review its expenditures.

David Freudmann, Eastwood Road, would like to see the Charter changed to allow for an automatic referendum on the town budget. He also asked if a non-binding question could be added to the ballot on a budget referendum.

Carol Pellegrine, Clover Mill Road, offered suggestions on the meeting to be held on June 8th.

Mayor Paterson stated the venue for the June 8, 2009 Special Town Meeting will be at E.O. Smith High School.

XIV. FUTURE AGENDAS

- Mr. Hart, Town Manager sought direction from the Town Council on how best to proceed when responding to requests from citizens. The Council agreed that questions should be first directed to the Personnel Committee and then to the Town Council.

XV. EXECUTIVE SESSION

- None

XVI. ADJOURNMENT

Mr. Paulhus moved and Mr. Nesbitt seconded to adjourn the meeting.

Motion to adjourn passed unanimously.

Elizabeth Paterson
Mayor

Christine Hawthorne
Asst. Town Clerk

